

SENATE BILL 993

C4

11r3128

By: **Senator Middleton**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 18, 2011

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Automobile Insurance Fund – Employee Compensation**

3 FOR the purpose of providing that employees of the Maryland Automobile Insurance
4 Fund are not subject to certain laws, regulations, or executive orders governing
5 State employee compensation; repealing a requirement for the Executive
6 Director of the Fund to determine the compensation of certain personnel of the
7 Fund in accordance with the State pay plan; repealing a requirement for the
8 Executive Director to submit certain changes to the Fund's salary plan to the
9 Secretary of Budget and Management in a certain manner; repealing a
10 requirement for the Secretary to take certain actions relating to proposed
11 changes to the Fund's salary plan; and generally relating to the compensation of
12 employees of the Maryland Automobile Insurance Fund.

13 BY repealing and reenacting, with amendments,
14 Article – Insurance
15 Section 20–204
16 Annotated Code of Maryland
17 (2006 Replacement Volume and 2010 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Insurance**

21 20–204.

22 (a) (1) Except as provided in paragraph (2) of this subsection or otherwise
23 by law, the Executive Director shall appoint and remove staff of the Fund in
24 accordance with the provisions of the State Personnel and Pensions Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Positions that the Executive Director designates with the approval
2 of the Board of Trustees as technical or professional positions are in the executive
3 service, management service, or are special appointments of the skilled service or the
4 professional service in the State Personnel Management System.

5 (3) Notwithstanding any other provision of law, the Executive Director
6 may appoint claims adjusters, attorneys, and other necessary personnel directly as
7 employees or on a contract basis.

8 (b) The Executive Director shall determine the compensation of the
9 personnel of the Fund designated under subsection (a)(2) of this section[:

10 (1)] with the approval of the Board of Trustees[; and

11 (2) when possible, in accordance with the State pay plan.

12 (c) (1) At least 45 days before the effective date of the change, the
13 Executive Director shall submit to the Secretary of Budget and Management each
14 change to the Fund's salary plans that involves increases or decreases in salary ranges
15 other than those associated with routine reclassifications and promotions or general
16 salary increases approved by the General Assembly.

17 (2) Reportable changes include creation or abolition of classes,
18 regrading of classes from one established range to another, and creation of new pay
19 schedules or ranges.

20 (3) The Secretary of Budget and Management shall:

21 (i) review the proposed changes; and

22 (ii) at least 15 days before the effective date of the proposed
23 changes, advise the Executive Director whether the changes would have an adverse
24 effect on comparable State jobs.

25 (4) Failure of the Secretary of Budget and Management to respond in
26 a timely manner is deemed to be a statement that the change will have no adverse
27 effect].

28 **(C) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN**
29 **EMPLOYEE OF THE FUND IS NOT SUBJECT TO ANY LAW, REGULATION, OR**
30 **EXECUTIVE ORDER GOVERNING STATE EMPLOYEE COMPENSATION, INCLUDING**
31 **FURLOUGHS, SALARY REDUCTIONS, AND ANY OTHER GENERAL FUND**
32 **COST-SAVING MEASURE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2011.